

Before the  
COPYRIGHT ROYALTY BOARD  
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Washington, D.C.

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Copyright Royalty Board

In the Matter of:	)	
	)	
Determination of Rates and Terms for	)	Docket No. 2012-1
Business Establishment Services	)	CRB Business Establishments II
	)	

**PETITION TO PARTICIPATE**

Muzak LLC ("**Muzak**"), by and through undersigned counsel, hereby submits this Petition to Participate in response to the Copyright Royalty Judges' Notice "announcing the commencement of the proceeding to determine the reasonable rates and terms for the making of an ephemeral recording of a sound recording for a later transmission by entities that transmit performances of a sound recording to business establishments" for the 2014-2018 license period (the "**License Period**"). 77 Fed. Reg. 133 (January 3, 2012).

Muzak's contact information, as required by 37 C.F.R. § 351.1(b)(1)(i)(A), is as follows:

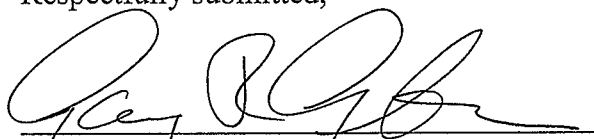
Diedra Ward  
VP, Legal Services  
Muzak LLC  
3318 Lakemont Blvd.  
Fort Mill, SC 29708  
Phone: (800) 331-3340  
Fax: (803) 396-3264  
E-mail: [Dee\\_Ward@muzak.com](mailto:Dee_Ward@muzak.com)

Muzak is also represented by, and may be contacted through, the counsel identified below.

Muzak has a "significant interest" in the proceeding to determine reasonable rates and terms for the making of ephemeral phonorecords by business establishment services because Muzak is the largest provider of commercial music services in the United States and may choose to avail itself of the statutory license for the making of ephemeral phonorecords to facilitate exempt transmissions of sound recordings to business establishments during some or all of the License Period.

Pursuant to 37 C.F.R. § 351.1(b)(4), a filing fee of \$150 is submitted herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gary R. Greenstein", written over a horizontal line.

Gary R. Greenstein (D.C. Bar No. 455549)  
WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation  
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Washington, D.C. 20006-3817  
[ggreenstein@wsgr.com](mailto:ggreenstein@wsgr.com)  
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*Counsel for Muzak LLC*

February 1, 2012

**WILSON SONSINI GOODRICH & ROSATI  
WASHINGTON DC OFFICE**

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PALO ALTO, CA 94304

**Bank of America**  
San Francisco, California

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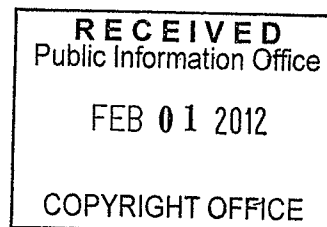
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February 1, 2012

**BY HAND**

Copyright Royalty Board  
Library of Congress  
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101 Independence Avenue, SE.  
Washington, D.C. 20559-6000



Re: Petition to Participate of Muzak LLC in  
Copyright Royalty Board Docket No. 2011-2 CRB Business Establishments II

To Whom It May Concern:

Enclosed are an original, six copies, and an electronic copy in Portable Document Format (PDF) on a CD-ROM of the Petition to Participate of Muzak LLC in the Copyright Royalty Board proceeding to establish reasonable rates and terms for the making of ephemeral recordings of sound recordings by services making exempt transmissions to business establishments for the period 2014 – 2018, Docket No. 2012-1 CRB Business Establishments II.

A check in the amount of \$150 made payable to the "Copyright Royalty Board" is also enclosed.

Please date stamp one copy of the Petition to Participate and return it to the messenger hand delivering the Petition.

Thank you for your assistance and please contact me at (202) 973-8849 or [ggreenstein@wsgr.com](mailto:ggreenstein@wsgr.com) if you have any questions regarding the Petition.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

A handwritten signature in black ink, appearing to read "Gary R. Greenstein".

Gary R. Greenstein  
*Counsel for Muzak LLC*

Enclosures

cc: Deidra Ward (w/encl.)